

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
EASTERN DIVISION
No. 4:22-CV-33-BO

HANK BLAND, KENDELL JACKSON,)
and LUETTA INNISS, on behalf of)
themselves and all others similarly situated,)

Plaintiffs,)

v.)

ORDER

CAROLINA LEASE MANAGEMENT)
GROUP, LLC, CTH RENTALS, LLC, and)
OLD HICKORY BUILDINGS, LLC,)


Defendants.)

This cause comes before the Court on defendant Old Hickory Buildings, LLC's motion to dismiss pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure. [DE 55].¹ Plaintiffs have responded, Old Hickory Buildings has replied, and the motion is ripe for ruling.

The Court has considered plaintiffs' claims against Old Hickory Buildings in light of the applicable standards. *See Bell Atlantic Corp. v. Twombly*, 550 U.S. 544, 570 (2007); *Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009). Plaintiffs have plausibly alleged their claims for relief against Old Hickory Buildings, and the motion to dismiss [DE 55] is DENIED. Old Hickory Buildings' motion to stay discovery pending resolution of its motion to dismiss [DE 66] is DENIED AS MOOT.

¹ The docket text describes the motion as "Second MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM Complaint and complete Initial Settlement Conference." [IDE 55]. The Court does not, however, discern any request for relief regarding a settlement conference in the motion.

SO ORDERED, this 9 day of December 2024.


TERRENCE W. BOYLE
UNITED STATES DISTRICT JUDGE